

Introduced: 2/23/87  
Referred: Labor and Commerce  
and Judiciary

5-0337A

1 IN THE SENATE

BY JOSEPHSON

2 SENATE BILL NO. 141

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to hazardous painting certifica-  
7 tion."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 63. HAZARDOUS PAINTING CERTIFICATION.

11 Sec. 18.63.010. HAZARDOUS PAINTING CERTIFICATE REQUIRED. A  
12 person may not be employed to perform hazardous painting without  
13 having in actual possession a current valid hazardous painting certif-  
14 icate issued by the department.

15 Sec. 18.63.020. ISSUANCE OF CERTIFICATE. (a) An application  
16 for issuance of a hazardous painting certificate shall be on a form  
17 prescribed by the department. An application for initial issuance of  
18 a certificate shall include proof that the applicant completed an  
19 approved basic hazardous painting certificate program not more than 30  
20 days before the application was received by the department. An appli-  
21 cation for certificate renewal shall include proof that the applicant  
22 completed an approved supplemental hazardous painting certificate  
23 program not more than 30 days before the date the application was  
24 received by the department.

25 (b) The department shall issue a hazardous painting certificate  
26 to an applicant who has completed an application and submitted a  
27 certificate fee. A certificate is valid for three years.

28 Sec. 18.63.030. FEE. The commissioner shall establish the  
29 triennial fee for a hazardous painting certificate by regulation.

1           **Sec. 18.63.040. CERTIFICATE PROGRAMS. (a)** The department shall

2                   (1) establish requirements for basic and supplemental  
3 hazardous painting certificate programs;

4                   (2) review, and approve or disapprove, programs proposed by  
5 contractors, labor organizations, public and private schools, voca-  
6 tional education institutions, and others;

7                   (3) assist persons who propose programs to meet require-  
8 ments for approval.

9           (b) A basic hazardous painting certificate program shall include  
10 instruction and written and practical testing in methods of ventila-  
11 tion, respirator selection, chemical reaction to body tissue, proper  
12 use of painting tools, knowledge of relevant health and safety laws  
13 and regulations, including relevant portions of 29 C.F.R. 1910, and  
14 other appropriate subjects. A supplemental hazardous painting certif-  
15 icate program shall include instruction and written and practical  
16 training necessary to ensure that a person who completes the program  
17 will be knowledgeable about new developments and changes related to  
18 hazardous painting that have occurred since the person completed a  
19 basic hazardous painting certificate program.

20           (c) A hazardous painting certificate program conducted by an  
21 employer of a person enrolled in the program must also meet the re-  
22 quirements of AS 18.60.066.

23           **Sec. 18.63.050. INSPECTIONS AND CITATIONS.** The department shall

24                   (1) inspect job sites to assure that persons employed to  
25 perform hazardous painting are certified and are performing the work  
26 safely; and

27                   (2) issue citations to persons who are performing hazardous  
28 painting without being certified or without having a certificate on  
29 their persons, and to their employers or contractors.

1           Sec. 18.63.060. REGULATIONS. The department may adopt regula-  
2 tions necessary for the implementation of this chapter.

3           Sec. 18.63.070. PENALTY. The department may impose a civil fine  
4 of not more than \$1,000 on a person who violates this chapter or a  
5 regulation adopted under this chapter. In addition to imposing a  
6 civil fine, the department may suspend or revoke a certificate, and  
7 may require a person to again complete a basic or supplemental hazard-  
8 ous painting certificate program as a condition of recertification.

9           Sec. 18.63.100. DEFINITIONS. In this chapter

10           (1) "department" means the Department of Labor;

11           (2) "hazardous painting" means the application of a pigment  
12 containing or combined with a toxic or hazardous substance, as defined  
13 in AS 18.60.105, in vaporized or liquid form to create a coating that  
14 will adhere to a surface to protect or preserve the surface.